

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and following discussion is respectfully requested.

Claims 8-14 are pending in this application. By this amendment, Claims 8, 13 and 14 are amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

In the outstanding Office Action, Claim 14 was rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter; Claims 8, 9, 13 and 14 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,301,607 to Barraclough in view of U.S. Patent No. 6,535,228 to Bandaru; and Claims 10-12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Barraclough in view of Bandaru and further in view of U.S. Patent No. 5,838,314 to Neel.

With respect to the rejection of Claim 14 under 35 U.S.C. § 101, Claim 14 is amended by the present amendment. Accordingly, withdrawal of the rejection of Claim 14 is respectfully requested.

With regard to the rejection of the claims under 35 U.S.C. § 103(a), those rejections are respectfully traversed. The applied art does not teach, disclose or suggest a user contents control unit configured to control recording of the data received by the receiving unit into a recording area corresponding to each user apparatus with a user ID indicating each user who offers the data to be shared and a shared data flag set by the user in a database, and a shared contents control unit configured to control the recorded contents based upon the shared data flag, as claimed in Claim 8 and similarly claimed in Claims 13 and 14.

Barraclough et al. discloses capturing images with a digital camera or camcorder 100 and downloading them to an Internet appliance 110. The images are attached to an electronic communication and sent to a web server 120 via the Internet. At the web server 120, the

images are parsed and posted to a web page. The images can be stationary and/or video images. A second electronic communication is sent from the web server 120 to individuals selected by the sender of the images, notifying the individuals of the new posting on the web page. The second electronic communication is sent automatically. In this way, the sender of the first electronic communication can communicate with the selected individuals.

Bandaru discloses as shown in Figure 16, the ability of a user to select one or more share lists from the available share list. That is, at block 1605, the user indicates on the DMF that a share operation is to be performed. At block 1610, the DMF displays the available objects in the DMF to allow the member to select one or more objects to be shared. The selected objects can be distinguished from the non-selected objects by a check mark or bold border. When the member completes the selection, the DMF displays the available share list previously generated by a member. At block 1615, the member may select multiple share lists in which case the recipients in the multiple share lists receive the selected objects. At block 1620, the DMF network sends a copy of the selected objects to each of the recipients identified in the selected share list.

In contrast, the independent claims recite in part, a user contents control unit configured to control recording of the data received by the receiving unit into a recording area corresponding to each user apparatus with a user ID indicating each user who offers the data to be shared and a shared data flag set by the user in a database, and a shared contents control unit configured to control the recorded contents based upon the shared data flag.

As discussed above, neither Barraclough et al. nor Bandaru teach, disclose or suggest these features. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 103 is respectfully requested.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 8-14 is patentably distinguishing over the applied art.

The present application is therefore believed to be in condition for formal allowance and favorable reconsideration of this application as presently amended is respectfully requested.

Respectfully submitted,

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